

MEETINGS TO DATE 10  
NO. OF REGULARS 8  
NO. OF SPECIALS 2

LANCASTER, NEW YORK  
APRIL 16, 1973

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 16th day of April, 1973 at 8:00 P.M. and there were

## PRESENT:

LEO N. WEIMER, SUPERVISOR  
JOSEPH R. BARNHARDT, COUNCILMAN  
EDWARD A. BERENT, COUNCILMAN  
PETER J. BOLENDER, COUNCILMAN  
ARTEL J. METZ, COUNCILMAN

## ABSENT:

NONE

## ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK  
DOMINIC J. TERRANOVA, TOWN ATTORNEY  
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY  
JAMES NORGREN, TOWN ENGINEER  
JOHN F. LUME, HIGHWAY SUPERINTENDENT  
VICTOR H. OTT, POLICE CHIEF  
OLIVIN R. CONNELLY, RECEIVER OF TAXES  
WILLIAM F. DOUGHERTY, JR., BUILDING INSPECTOR  
JOHN M. COSTELLO, ASSESSOR III

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster all materials, labor and equipment for Remedial Work (Electrical) for the Lancaster Town Pool.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>		<u>BID</u>
1. Goodwin Electric Corp.	Base A	\$ 2,350.00
127 South Long Street	Base B	<u>360.00</u>
Williamsville, New York 14221	Total	\$ 2,710.00
2. Exel Electric Co.	Base A.	\$ 3,121.00
147 Kettering Drive	Base B	<u>400.00</u>
Kenmore, New York 14223	Total	\$ 3,521.00
3. J. C. Curcio Electric Inc.	Base A	\$ 5,070.00
178 Patricia Drive, Box 53	Base B	<u>960.00</u>
Tonawanda, New York 14150	Total	\$ 6,030.00
4. Zoerb & Co. Inc.	Base A	\$ 4,311.00
420 South Harris Hill Road	Base B	<u>416.00</u>
Buffalo, New York 14221	Total	\$ 4,727.00

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Town Engineers for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	March, 1973
Police Department	March, 1973
Building Inspector	February and March, 1973
Zoning Inspector	March, 1973
Dog Warden	March, 1973

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Planning Board	Meeting #4, March 7, 1973
Emergency Ambulance Service Advisory Board	Meeting #2, April 9, 1973

COMMITTEE RPORTS:

Councilman Metz, for the Tree Planting Committee, reported that approximately half the trees have already been received and planted for the Spring Tree Planting Program.

He also indicated that extensive vandalism has been discovered in various areas and that in the future trees will not be replaced after they are vandalized more than twice.

Councilman Berent, for the Police Committee, reported that the State Transportation Department indicated they are not willing to install a signal at Broadway and Cemetery Road for use by the Town Line Fire Department and indicated that the formal letter of denial will be placed upon the next agenda of the Town Board and referred to the Fire Company for general information purposes.

Councilman Berent, for the Recreation Committee, reported that last Saturday the Committee, Tryon & Schwartz, and Recreation Personnel of the Town of Lancaster inspected the new Ransom Road Recreation Site.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

RESOLVED, that the Minutes of the Regular Meeting of the Town Board held on April 2, 1973, and the Minutes of the Special Meeting of the Town Board held on April 11, 1973, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the 33rd Annual New York State Recreation and Park Conference  
will be held May 6th through 9th, 1973, at the Concord Hotel, Kiamesha Lake,  
New York, and

WHEREAS, the Recreation Commission of the Town of Lancaster has  
requested authorization for two representatives to attend said conference,  
and

WHEREAS, the Town Board of the Town of Lancaster deems it in the  
public interest that said conference be attended by representatives of the  
Recreation Commission,

NOW, THEREFORE, BE IT

RESOLVED, that authorization be and hereby is given two representatives  
of the Town of Lancaster Recreation Commission to attend the 33rd Annual New  
York State Recreation and Park Conference to be held May 6th through 9th, 1973,  
at the Concord Hotel, Kiamesha Lake, New York, with reimbursement for actual  
and necessary expenses not to exceed \$275.00 for each representative attending.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the New York State Board of Equalization and Assessment has notified the Town of Lancaster of tentative State Equalization Rates which generally have decreased Town, Village and City Equalization Rates by reason of application of more current market value data, and

WHEREAS, the New York State Board of Equalization and Assessment has notified the Town of Lancaster of a hearing relative to a reduction of tentative equalization rate of assessment for the Town of Lancaster from 23% to 22%, and

WHEREAS, representative Towns in Erie County have similarly been advised of tentative equalization rate of assessment reductions as follows:

<u>TOWN</u>	<u>1972</u>	<u>1973</u>
Alden	22%	21%
Amherst	38%	34%
Aurora	27%	25%
Cheektowaga	19%	18%
Elma	26%	24%
Grand Island	26%	25%
Hamburg	25%	24%
Marilla	98%	93%
Orchard Park	29%	27%
Tonawanda	26%	25%
West Seneca	26%	24%

and

WHEREAS, the Assessor has requested all data upon which the tentative rate has been based from the New York State Board of Equalization and Assessment in order to review same, and

WHEREAS, it is deemed in the public interest that the Assessor, Town Attorney and Supervisor attend a conference with representatives of the State Board of Equalization and Assessment relative to said tentative equalization rate,

NOW, THEREFORE, BE IT

RESOLVED, that the Assessor, Town Attorney and Supervisor be and hereby are authorized to attend the hearing on tentative equalization rate at Albany, New York, on April 24, 1973, with reimbursement for actual, reasonable expenses.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~only~~  
The resolution was thereupon unanimously adopted.

April 16, 1973



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore, on September 19, 1966, granted tax exemption to owners of real property over 65 years of age having net income not exceeding Three Thousand Dollars (\$3,000.00), and

WHEREAS, on February 1, 1971, the Town Board of the Town of Lancaster granted tax exemption to owners of real property over 65 years of age having net income not exceeding Five Thousand Dollars (\$5,000.00), and

WHEREAS, resident taxpayers 65 years of age on fixed low incomes have been severely hampered in efforts to keep pace with rising inflation and shockingly increasing cost of living, and

WHEREAS, our elderly taxpayers have shouldered their share of the tax burden for the most part of their working productive lifetime and in their waning years make very little demand for governmental services, and

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended to authorize an increase in the income requirement from \$5,000.00 net income to not exceeding \$6,000.00 net income, and

WHEREAS, the increase in income eligibility for Town taxes from \$5,000.00 to \$6,000.00, will place no particular burden on the taxpaying public but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on fixed retirement incomes in their declining years,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed amendment to the Code of the Town of Lancaster, County of Erie, State of New York, Chapter 40, Tax Exemption, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of May, 1973, at 8:15 o'clock P.M., Eastern Daylight Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise, the official newspaper, and the Lancaster-Depew Journal, being newspapers of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 16th day of April, 1973, the said Town Board will hold a Public Hearing on the 7th day of May, 1973, at 8:15 o'clock P.M., Eastern Daylight Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Code of the Town of Lancaster, County of Erie, State of New York, Chapter 40, Tax Exemption:

Section 40-2, Exceptions; application, is hereby amended by deleting:

"A. No exemptions shall be granted:

(1) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of five thousand dollars (\$5,000.00).  
Income tax year . . . . . gifts or inheritances.

(2) Unless the title of the property shall have been vested in the owner or all of the owners of the property for at least sixty consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of sixty (60) consecutive months and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this ordinance."

and by substituting therefor:

"A. No exemptions shall be granted:

(1) If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of six thousand dollars (\$6,000.00).  
Income tax year . . . . . gifts or inheritances.

(2) Unless the title of the property shall have been vested in the owner or all of the owners of the property for at least sixty consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of sixty consecutive months provided, further, that in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of sixty consecutive months and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, and further provided that where a residence is sold and replaced with another within one year and is in the same assessment unit, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive for purposes of this section."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

April 16, 1973

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~duky~~

The resolution was thereupon unanimously adopted

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BARNHARDT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, McKinney Drilling Company, 4498 Main Street, Buffalo, New York, has petitioned the Town Board of the Town of Lancaster for the rezone of certain property situate on the east side of Gunville Road north of Lancaster Speedways in the Town of Lancaster from an M1, Light Industrial District, to an M2, General Industrial District, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 7th day of May, 1973, at 8:00 o'clock P.M., Eastern Daylight Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise and the Lancaster-Depew Journal, newspapers of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning pursuant to Section 239(m) of the General Municipal Law, which Notice shall be in the following form:

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 16th day of April, 1973, the said Town Board will hold a Public Hearing on the 7th day of May, 1973, at 8:00 o'clock P.M., Eastern Daylight Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an M1, Light Industrial District, to an M2, General Industrial District:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie and State of New York, being part of Lot 10, Section 6, Township 11, Range 6 of the Holland Land Company's Survey and more particularly bounded and described as follows:

BEGINNING at a point on the west line of Lot No. 10 (which is also centerline of Gunnville Road) 1382.05 feet south of the north line of the Town of Lancaster; thence northerly along the west line of Lot No. 10 a distance of 150.0 feet; thence easterly at right angles to Gunnville Road a distance of 1195.92 feet to the westerly line of land owned by Iroquois Gas Corporation; thence southerly at right angles along the west line of Iroquois Gas Corporation property a distance of 150.0 feet; thence westerly at right angles a distance of 1195.92 feet (which is north property line of land owned by Great Lakes Auto Racing Promotions, Inc.) to the place of beginning.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

By: ROBERT P. THILL  
Town Clerk

Dated: April 16, 1973

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

The resolution was thereupon ~~unanimously~~ unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

WHEREAS, a vacancy exists in the office of Superintendent of Highways of the Town of Lancaster by the untimely death of Walter A. Dyll, and

WHEREAS, it is essential to the effective and efficient administration of the Highway Department of the Town of Lancaster that a Highway Superintendent be appointed to fill the unexpired term caused by the passing of Walter A. Dyll, and

WHEREAS, John Lume, a long-time resident of the Town of Lancaster, possesses the administrative ability and experience and the technical knowledge required to discharge the duties of this important office,

NOW, THEREFORE, BE IT

RESOLVED, that John Lume of 165 Sawyer Avenue, Lancaster, New York, be and hereby is appointed Superintendent of Highways of the Town of Lancaster and Sewer Superintendent of the Town of Lancaster, effective immediately, to serve until December 31, 1973, at a salary as set forth in the Schedule of Salaries for the year 1973.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~and~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

Councilman Bolender requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BOLENDER, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
METZ, TO WIT:

RESOLVED, that the following Surety Bond be and is hereby approved as to form and sufficiency of the surety:

John Lume and the United States Fidelity  
and Guaranty Company in the principle  
sum of \$10,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BOLENDER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, in cooperation with the Library Board of the Town of Lancaster, have planned the design and construction of the new Lancaster Branch Library on Broadway in the Village of Lancaster, and

WHEREAS, the Lancaster Library Board has interviewed a number of area architects qualified to design said Lancaster Branch Library, and

WHEREAS, the Town Board of the Town of Lancaster has interviewed the architect recommended by the Lancaster Library Board, and

WHEREAS, the architectural firm of Kideney, Smith, Fitzgerald & Partners, has filed its written proposal for agreement for architectural services, copy of which is filed with the Town Clerk, and

WHEREAS, the Town Attorney has reviewed said proposal,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the architectural firm of Kideney, Smith, Fitzgerald & Partners, 374 Delaware Avenue, Buffalo, New York, be and hereby is retained to perform architectural services in the design and construction of the Lancaster Branch Library on Broadway in the Village and Town of Lancaster.

2. That the Supervisor be and hereby is authorized to execute the agreement by and between the Town of Lancaster and said architectural firm, with the approval of the Town Attorney.

3. That the initial sum of \$15,000.00 be transferred from the General Fund Account Unappropriated Surplus to the General Fund Account No. A 7410.49, Construction of Lancaster Branch Library.



The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~duh~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN - BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT , TO WIT:

*Amended  
August 6, 1973*

WHEREAS, the Town of Lancaster has acquired the Ransom Road  
Recreational Site, being a portion of former Nike Battery BU-18 situate on  
Ransom Road, Peppermint Road and Walden Avenue, and

WHEREAS, it is essential that an accurate survey be made of the  
said property,

NOW, THEREFORE, BE IT

RESOLVED, that Paul Ryan, Licensed Land Surveyor, be and hereby is  
retained for the purpose of making an accurate boundary survey and that the  
said Paul Ryan be paid therefor at a sum not exceeding standard survey rates  
in Erie County, and

BE IT FURTHER

RESOLVED, that the sums therefor be transferred from the General  
Fund Account No. A.00.1990.40, Contingent Account, to the General Fund Account  
No. A.00.7020.49, Recreation, Ins. of Ball Diamonds.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

*Amended  
August 6, 1973*

~~and~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BOLENDER, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 5435 to 5509 Incl.	\$ 42,054.37
Special District Funds	No. 1222 to 1226 Incl.	\$ 39,910.83
Part Town Funds	No. 1459 to 1461 Incl.	\$ 592.16
Highway Funds	No. 3007 to 3017 Incl.	\$ 7,554.00
Trust & Agency Funds	No. 465 to 468 Incl.	\$ 17,828.98
Federal Revenue Sharing A/C	No. 1 to 2 Incl.	\$ 67,164.00

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon ~~duy~~ unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN BERENT , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BOLENDER , TO WIT:

WHEREAS, the Town of Lancaster is about to acquire a portion of former Nike Battery BU-18 situate on Pavement Road in the Town of Lancaster, together with certain buildings and structures situate thereon, to be used for general Town purposes, and

WHEREAS, it is necessary that an accurate boundary survey, with building locations, be made of the said property, and

WHEREAS, by letter of April 12, 1973, the Town Engineers have submitted a proposal for making said survey at a cost of \$475.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineering firm of Krebhiel-Guay-Rugg-Hall be and hereby is retained to make an accurate boundary survey of that portion of former Nike Battery BU-18 situate on Pavement Road to be acquired by the Town of Lancaster, including the location of the buildings situate thereon, at a cost not to exceed \$475.00, and

BE IT FURTHER

RESOLVED, that the sum of \$2,975.00 be transferred from the General Fund Account Unappropriated Surplus to the General Fund Account No. A 1940.41, Purchase and Improvement of Pavement Road Nike Site, with payment for the foregoing survey to be made from said account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	YES
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon <sup>duly</sup> unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN METZ , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
BERENT , TO WIT:

WHEREAS, due to a shortage in manpower in the Highway Department of the Town of Lancaster, the Deputy Town Superintendent of Highways has requested two additional employees, and

WHEREAS, Paul Drewniak and Timothy McNichol have made application to the Town of Lancaster for employment in the Highway Department,

NOW, THEREFORE, BE IT

RESOLVED, that Paul Drewniak, 3573 Walden Avenue, Lancaster, New York, and Timothy McNichol, 79 Brunck Road, Lancaster, New York, be and hereby are appointed Laborer-2nd Grade in the Highway Department of the Town of Lancaster, effective April 17, 1973, at a salary as set forth in the Schedule of Salaries for said position.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~duky~~  
The resolution was thereupon unanimously adopted.

April 16, 1973

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN METZ, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN  
BARNHARDT, TO WIT:

RESOLVED, that the following Building Permit Applications be and are  
hereby approved and the issuance of Building Permits be and are hereby  
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
24	Edmund Raszewski	4901 Transit Road	EX. FR. SING. DWLG.
25	John Bunch	4370 Walden Avenue	ER. FIBERGLASS SIGN
26	Walter Ferry	140 Cemetery Road	ER. FR. OFFICE BLDG. SHOP

The question of the adoption of the foregoing resolution was duly put  
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED YES

SUPERVISOR WEIMER VOTED YES

~~and~~

The resolution was thereupon unanimously adopted.

April 16, 1973

Councilman Barnhardt requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY  
COUNCILMAN BARNHARDT, WHO MOVED ITS  
ADOPTION, SECONDED BY COUNCILMAN BERENT  
, TO WIT:

WHEREAS, the Environmental Conservation Commission of the Town of Lancaster by letter dated April 13, 1973 has requested authorization to attend the First Annual Meeting of the New York State Association of Conservation Commissions

NOW, THEREFORE, BE IT

RESOLVED, that those members of the Environmental Conservation Commission of the Town of Lancaster desiring to attend be and are hereby authorized to attend the First Annual Meeting of the New York State Association of Conservation Commissions to be held on April 28, 1973 in Elmira, New York with expense reimbursement hereby authorized in an amount not to exceed \$20.00 per person attending.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED YES
SUPERVISOR WEIMER	VOTED YES

~~duky~~  
The resolution was thereupon uanimously adopted.

April 16, 1973

1. Traffic Study - Walden Avenue

On March 12, 1973 the New York State Department of Transportation indicated that the necessary speed checks for this study were being taken during the week of February 26th and that a report will be forthcoming.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On November 15, 1972 the Army Corps of Engineers indicated that their workload is such that they will not be able to commence studies on this project until January, 1973.

4. Acquisition of Nike Battery - Pavement Road

On March 22, 1973 the Office of General Services notified the Town Board of the acceptance of the Town's offer to purchase this site.

5. Tax Abatement - Police Services - County Sheriff's Department

On December 13, 1972 Legislator Wnek indicated to the Town Board that this matter is before the Police and Safety Committee which he is Chairman of, and he will keep the Town Board advised on the progress of this matter.

On April 3, 1973, upon direction of the Town Board, the Town Clerk requested a Status Report on this matter from Legislator Wnek.

6. Legislation - Payment to Recreation Commission Members

On January 25, 1973 Assemblyman Volker and on February 5, 1973 Senator McGowan acknowledged receipt of the Town Board's resolution and request for introduction of legislation.

7. Railroad Crossings - Improved Safety

On March 20, 1973 the Town Clerk filed a Town Board resolution and Police Survey with the State Transportation Department, Assemblyman Volker, and Senator McGowan.

On March 28, 1973 Senator McGowan acknowledged receipt of the Town Board's resolution and survey.

8. Rezone Petition - Schmitt's Garage - Genesee Street

Town Clerk reported that an amended petition on this matter is presently before the Planning Board.



COMMUNICATIONS:

Page 212  
DISPOSITION

- |  |  |
|--|--|
| 187. Town Clerk to Town Board -<br>Notification - Directives complied with<br>from meeting of April 2, 1973.   | R & F  |
| 188. State Transportation Dept. to Town Clerk -<br>Notification - Amendment to County Road<br>System Map removing therefrom Columbia<br>Avenue and turning it over to the Town of<br>Lancaster and the Village of Depew. | R & F  |
| 189. Secretary, St. Mary's Parish Council to Town<br>Board -<br>Request Town Board lease vacant theater<br>building for purpose of converting it<br>into a Youth Activity Center.  | Town Clerk                                       |
| 190. Associate Director, Domestic Council to<br>Town Clerk -<br>Re: Granting of funds - Sewer District<br>No. 4.   | Sewer Committee                                  |
| 191. Krehbiel-Guay-Rugg-Hall to Town Board -<br>Re: Review of Bonding Requirements.  | Planning Board Sec'y.<br>Planning Committee      |
| 192. New York State Department of Environmental<br>Conservation to Town Clerk -<br>Re: Course - Transfer and Collection of<br>Solid Waste.   | Highway Supt.<br>Env. Cons. Comm. Sec'y<br>R & F |
| 193. Franklin D. Guidone, AIA Architect to Town<br>Clerk -<br>Notification - Interest in supplying<br>architectural and engineering services<br>for new library.   | Town Clerk                                       |
| 194. Secretary, Town Planning Board to Town<br>Clerk -<br>Recommendation - Approval of application<br>of McKinney Drilling Company.  | Rezone File                                      |
| 195. Tryon and Schwartz & Associates, Inc. to<br>Town Board -<br>Recommendation - Favorable action on<br>petition of McKinney Drilling Company.  | Rezone File                                      |
| 196. Deputy Town Superintendent of Highways to<br>Town Board -<br>Notification - Rubbish Pickup -<br>May 17 and 18 south of Broadway and<br>May 24 and 25 north of Broadway.   | Town Clerk                                       |
| 197. Kideney, Smith, Fitzgerald & Partners to<br>Supervisor -<br>Request for topographical survey of<br>Lancaster Town Library Site.   | Library Committee<br>Town Attorney               |
| 198. Dept. of Parks and Recreation to<br>Supervisor -<br>Re: Mobile Recreation Program.  | Recreation Comm. Ch.<br>Recreation Committee     |
| 199. Supervisor to Town Board -<br>Federal Revenue Sharing Funds invested<br>at Marine Midland Bank-Western on<br>April 10, 1973 for total dollar<br>earning of \$181.09.  | R & F  |
| 200. Town Clerk to Town Board -<br>Notification - Directives complied with<br>from meeting of April 11, 1973.  | R & F  |

COMMUNICATIONS:

201. Senator McGowan to Town Clerk -  
Acknowledgement - Receipt of letter and  
resolution to support Donovan Bill.
202. Secretary, Library Board to Deputy Director  
of Buffalo and Erie County Public Library -  
Notification - New library building to  
be ready for use in fall of 1974.
203. Secretary, Reserve Vol. Ambulance Corps to  
Emergency Ambulance Service Advisory Board -  
Transmittal - Recommendations submitted  
and approved by membership and forwarded  
for Advisory Board approval.
204. President and Secretary of Emergency  
Ambulance Service Advisory Board to Town  
Board -  
Transmittal - Proposals approved as  
specified and submitted for Town Board  
approval.
205. Deputy Highway Superintendent to Town  
Board -  
Recommendation - Hiring of Paul Drewniak  
and Timothy McNichol as Laborers 2nd  
Grade.
206. Erie & Niagara Counties Regional Planning  
Board to Supervisor -  
Transmittal - Document entitled  
"Condominium".
207. Kideney, Smith, Fitzgerald, and Partners to  
Town Attorney -  
Transmittal - Proposed agreement with  
Town of Lancaster - Re: Lancaster  
Town Library.
208. Town Attorney to Town Board -  
Filing of proposed agreement for  
retainer of architectural services -  
Lancaster Public Library with Town  
Clerk.
209. Secretary, Environmental Conservation  
Commission to Town Board -  
Request authorization of Commission  
Members and Councilman Barnhardt to  
attend First Annual Meeting of the  
New York State Association of  
Conservation Commission on April 28th  
in Elmira, New York.
210. Secretary, Environmental Conservation  
Commission to Town Board -  
Request - Thomas Morganti be appointed  
to represent Town of Lancaster on Erie  
County Environmental Management Council.
211. Secretary, Environmental Conservation  
Commission to Town Board -  
Request that Commission establish  
themselves as a member of State  
Association of Environmental  
Commissions.
212. Town Clerk to Town Board -  
Re: Amended Petition filed on Schmitt's  
Garage, Inc. - Petition for Rezone.

R & F

Library Committee  
R & F.

Police Committee

Police Committee

R & F

R & F

Town Attorney

R & F

R & F

Planning Committee

Planning Committee

R & F

ADJOURNMENT:

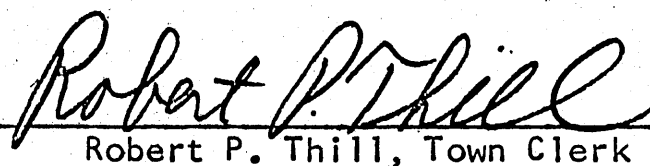
ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:50 P.M. our of respect to:

ALBERT SANDEL

JOSEPH VAEGELE

SAM FELLI

Signed

  
Robert P. Thill, Town Clerk